PATENT COOPERATION TREATY

PCT

Translation INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT-136	FOR FURTHER ACTION	See Form PCT/IPEA/416							
International application No.	International filing date (day/month/year)	Priority date (day/month/year)							
PCT/AT2004/000119	07.04.2004	09.04.2003							
International Patent Classification (IPC) or national classification and IPC Applicant									
SATTLER AG									
· ·	 This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 								
2. This REPORT consists of a total of _	6 sheets, including	ng this cover sheet.							
3. This report is also accompanied by A	NNEXES, comprising:								
a. (sent to the applicant and	to the International Bureau) a total of 18	sheets, as follows:							
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).								
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.									
	Bureau only) a total of (indicate type and numb	er of electronic corrier(e))							
Sem to the International	bureau only, a total of (indicate type and numb								
related thereto, in computer	readable form only, as indicated in the Suppl	, containing a sequence listing and/or tables emental Box Relating to Sequence Listing (see							
Section 802 of the Administ									
4. This report contains indications relati	ng to the following items:								
Box No. I Basis of the	report								
Box No. II Priority									
Box No. III Non-establi	shment of opinion with regard to novelty, inver	ntive step and industrial applicability							
Box No. IV Lack of uni	ty of invention								
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
Box No. VI Certain doc	uments cited								
Box No. VII Certain defe	ects in the international application								
Box No. VIII Certain obs	Box No. VIII Certain observations on the international application								
Date of submission of the demand	Date of completion of t	his report							
Name and mailing address of the IPEA/EP	Authorized officer								

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AT2004/000119

Box	No. I	Basis of the report			
1.	With regard indicated und	to the language, this report is based on the internation that this item.	nal application in the language in	which it was filed, unless otherwise	e
	which	port is based on translations from the original langua is the language of a translation furnished for the purp international search (Rule 12.3 and 23.1(b)) publication of the international application (Rule 12.4 international preliminary examination (Rule 55.2 and	ooses of:		_ ,
2.	receiving Of this report): the into the des	to the elements of the international application, this fice in response to an invitation under Article 14 and ernational application as originally filed/furnished scription: 10-17			ed to
	pages		received by this Authority on	21.02.2005 with letter of 21.02.2005	
	pages*	· · · · · · · · · · · · · · · · · · ·	_	OF 21.02.2005	_
	pages*		received by this Authority on		_
	the cla	ims:			
	nos.			as originally filed/furnis	hed
	nos.*		as amended (togethe	er with any statement) under Article 21.02.2005 with letter	
	nos.*	1-28	received by this Authority on		
1	nos.*	<u> </u>	received by this Authority on		
	sheets		received by this Authority on	as originally filed/furnis	shed
	sheets				
3.	The ar	ence listing and/or any related table(s) – see Suppler mendments have resulted in the cancellation of: the description, pages	nental Box Relating to Sequence L	Listing.	
		the claims, nos.			
	the drawings, sheets/figs				
	$\overline{}$				_
		any table(s) related to sequence listing (specify):			
4.	This r	eport has been established as if (some of) the amen ave been considered to go beyond the disclosure as t		ental Box (Rule 70.2(c)).	since
	\boxtimes	the claims, nos. 29			
		the drawings, sheets/figs			
		the sequence listing (specify):		<u> </u>	
		any table(s) related to sequence listing (specify):			
	If item 4 ap	olies, some or all of those sheets may be marked "su	perseded."		

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Box No. V Reasoned statement under Ar citations and explanations sup		ent under Ar anations sup	ticle 35(2) with regard to novelty, inventive step or industrial applicability; porting such statement	
1.	Statement			
	Novelty (N)	Claims	1-28	YES
		Claims		NO
	Inventive step (IS)	Claims	1-28	YES
		Claims		NO
	Industrial applicability (IA)	Claims	1-28	YES
Ì		Claims		NO

2. Citations and explanations (Rule 70.7)

This report makes reference to the following documents:

D1: EP-A-0 596 807

D2: FR-A-1 548 635

D3: DE 33 20 212 A

D4: DE 33 10 895 A

D5: EP-A-0 021 834

D6: DE 36 07 296 C

D7: US-A-3 375 321

D8: US-A-4 297 813

D9: FR-A-2 117 339

1. Independent claim 1

Document D1 discloses (see, in particular, figures 2 and 18) the combination of features defined in claim 1, as follows:

• a membrane wall element for erecting a tent or hall structure, the element comprising at least two wall membranes (3) and stretch elements (103-106), it being possible to stretch the at least two wall membranes (3) at opposite end sections by means of the stretch

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

elements (103-106), and the two wall membranes being spaced apart by at least one rigid spacer (103-106) in such a way that a cavity is formed between the at least two wall membranes.

(D2, D3, D4 and D5 also disclose the above-mentioned combination of features.)

The subject matter of claim 1 differs from the disclosure of document D1 in that:

(A) at least one rigid spacer (2) separate from the stretch elements (5) is linked in an articulated manner to opposite inner sides of the at least two wall membranes (1A, 1B, 1C), so that in the stretched state of the at least two wall membranes (1A, 1B, 1C), the spacer (2) is adjusted by the tension applied to the wall membranes in such a way that the at least two wall membranes (1A, 1B, 1C) are kept apart.

The present invention can therefore be considered to address the problem of providing a wall element of the generic type which, although it is easy to erect and does not require the application of compressed air, possesses very good thermal properties.

The tension applied to the wall membranes adjusts the at least one spacer in such a way that it keeps apart the wall membranes, forming a thermally insulating air cushion.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

This is not the case of the devices in documents D1-D5, in which asymmetries may very easily arise, so that one of the foil surfaces of the double foil is stretched, while the other in remains in a slack state.

None of the available documents suggests feature (A). The subject matter of claim 1 therefore meets the requirements of PCT Article 33(2).

5.2 Independent claim 24

Claim 24 discloses a tent or hall structure using a wall element having the combination of features in claim 1 and thus also meets the requirements of PCT Article 33(2) and 33(3).

5.3 Dependent claims 2-23 and 25-28

Claims 2-23 are dependent on claim 1 and claims 26-28 are dependent on claim 24. They therefore also meet the PCT novelty and inventive step requirements.

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Supplemental Box

Continuation of:

In case the space in any of the preceding boxes is not sufficient.

BOX I

Basis of the report

Inadmissible extension

The amendments submitted with the letter of 31 July 2000 introduce substantive matter which goes beyond the original disclosure in the international application as filed, thereby contravening PCT Article 34(2)(b). This concerns the following amendment:

Claim 29

The term "central" (line 10) is not supported by the original documents.

Pursuant to PCT Rule 70.2, this report has been established without taking into account claim 29.